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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,082	05/30/2001	Timothy Paul James Kindberg	10006135-1	9316

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT PAPER NUMBER

2155

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/871,082	Applicant(s) KINDBERG ET AL.	
	Examiner Shawki S. Ismail	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-14,16-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-6,8-14,16-19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment filed on November 17, 2005. Claims 1, 10-14, 16 and 21 were amended. Claims 7, 15, 20 and 25-26 were cancelled. Claims 1-6, 8-14, 16-19 and 21-24 are pending.

The New Grounds of Rejection

2. Applicant's amendment and arguments received on November 17, 2005 have been fully considered, however they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites

“reading a tag to obtain an identifier for the entity”

“using the identifier to obtain an address for a resource associated with the entity, wherein the resource describes or controls the entity”

Applicant needs to clarify whether the entity in the claims is the first entity or the second entity.

Claim Rejections - 35 USC §102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-7, 12-24, and 29-34, are rejected under 35 U.S.C. 102(e) as being anticipated by **Perkowski** (Perkowski) U.S. Patent No. **5,950,173**.

7. As to claim 1, Perkowski teaches a resource registration method comprising the steps of:

physically approaching a first entity that has an associated tag (col. 25, lines 1-19, IPI Registrant Database transmits product registration requests in the form of electronic documents to the manufacturers that have been issued six digit UPC codes);

reading the tag to obtain an identifier for the entity (col. 25, lines 1-19, the tag is read and an identifier is obtained);

using the identifier to obtain an address for a resource associated with the entity, wherein the resource describes or controls the entity (col. 25, lines 1-19, each product has an associated URL that contains the location for resources concerning the product)
; and

generating an entry in a registry, wherein the entry includes the address of the

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resource associated with the first entity and a physical location of the first entity (col. 25, lines 1-19, the IPI registrant database is constructed and it houses product registration information that include product UPC code and URL for the resource of the product);

physically approaching a second entity that has an associated tag (col. 25, lines 1-19, IPI Registrant Database transmits product registration requests in the form of electronic documents to the manufacturers that have been issued six digit UPC codes);

reading the tag to obtain an identifier for the entity (col. 25, lines 1-19, the tag is read and an identifier is obtained);

using the identifier to obtain an address for a resource associated with the entity, wherein the resource describes or controls the entity (col. 25, lines 1-19, each product has an associated URL that contains the location for resources concerning the product); and

generating an entry in a registry, wherein the entry includes the address of the resource associated with the second entity and a physical location of the first entity (col. 25, lines 1-19, the IPI registrant database is constructed and it houses product registration information that include product UPC code and URL for the resource of the product);

8. As to claim 2, Perkowski teaches the resource registration method of claim 1 wherein the step of using the identifier to obtain an address for the resource includes the step of:

providing a resolver service (col. 26, lines 19-37);

providing the identifier to the resolver service (col. 26, lines 19-37, the identifiers of each product is given to the search engine);

the resolver service for receiving the identifier and responsive thereto for providing an address for the resource; wherein the resolver service includes a table of identifiers and the corresponding resource addresses (col. 26, lines 19-37, the search engine receives the product identifier and then provides an address for the resource).

9. As to claim 3, Perkowski teaches the resource registration method of claim 1 wherein the registry is a computational abstraction that can be browsed by users in the form of web pages; and wherein the registry can be queried automatically by other programs (col. 26, lines 38-67, users are able to browse and search the database for particular product resources).

10. As to claim 4, Perkowski teaches the resource registration method of claim 1 wherein the registry stores the address for each resource (col. 26, lines 19-37, the resource address are added to the IPI database)

11. As to claim 5, Perkowski teaches the resource registration method of claim 4 wherein the registry stores at least one attribute for each resource (refer to Fig. 4A1, 4A2, 4B, attributes of the resource are stored in the database).

12. As to claim 6, Perkowski teaches the resource registration method of claim 1 wherein the address for the resource is a URL (col. 26, lines 19-37, the address for the resource is a URL)

13. As to claim 8, Perkowski teaches the resource registration method of claim 1 wherein the tag is one of a barcode tag and an RFID tag (col. 25, lines 1-19).

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14. As to claim 9, Perkowski teaches the resource registration method of claim 1 further comprising the steps of:

generating a web page for the registry (refer to fig. 3, col. 15, lines 45-53).

15. Claims 10-14, a6-19 and 21-24 do not further teach or define any new limitation above claims 1-6 and 8-9, therefore; they are rejected for similar reasons.

16. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

17. Applicant's arguments with respect to claim 1-6, 8-14, 16-19 and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
February 2, 2006



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER